

## **REMARKS**

Claims 4-10, 12, 14, 15, 17-19 and 21-24 are pending in the present application.

Claims 4-10, 12, 14, 15 and 17-19 are amended for clarity.

Claims 1-3, 11, 13, 16 and 20 are cancelled.

Claims 21-24 are newly entered.

No new matter is entered as a result of the amendments.

Reconsideration on the merits is respectfully requested.

### Information Disclosure Statement

References previously entered in an information disclosure statement were not considered.

An Information Disclosure Statement is submitted herewith.

### Drawings

The drawings were objected to for failing to recite elements of claim 11. Claim 11 has been cancelled in favor of claim 21 thereby rendering the rejection moot. Regardless, Applicants respectfully submit that the "Initial Components" of

Fig. 1 contain therein a charging unit represented by batching  
hoppers, 2, which feed the additives to the end zone.

The objection is rendered moot by amendment and is  
improper.

#### Specification

The specification is objected to for failing to provide  
enabling disclosure for the invention as defined in claim 3.  
Applicants respectfully disagree.

The paragraph located on page 10, lines 3-15, clearly  
states that the value of  $K_{cr}$  is found experimentally for each  
type of needles and is equal to the ratio between the container  
volume located in the electromagnetic field effective zone and  
the total volume of all needles charged at which ratio the  
needles cease moving. The term criticality factor (also  
referred to as  $K_{cr}$ ) is defined in the specification thereby  
rendering the rejection improper. Withdrawal of the rejection  
is respectfully requested.

#### Claim Objections

Claim 6 is objected to under 37 CFR 1.75(c) due to improper claim form. Claim 6 has been amended thereby rendering the rejection moot.

Claim Rejections - 35 USC § 112

Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. More specifically, the Office opines that the term "criticality factor" is not defined. Applicants respectfully disagree.

The paragraph located on page 10, lines 3-15, clearly states that the value of  $K_{cr}$  is found experimentally for each type of needles and is equal to the ratio between the container volume located in the electromagnetic field effective zone and the total volume of all needles charged at which ratio the needles cease moving. The term criticality factor (also referred to as  $K_{cr}$ ) is defined in the specification thereby rendering the rejection improper. Withdrawal of the rejection is respectfully requested.

Claims 1-5 and 7-20 are rejected under 35 U.S.C. 112, second paragraph due to improper antecedent support. Claims 1,

11 and 16 have been cancelled in favor of claims 21, 23 and 24, respectively.

Claims 2 and 3 are cancelled and the subject matter incorporated into newly entered claim 21.

Claim 13 has been cancelled and the subject matter incorporated into newly entered claim 23.

Claim 20 has been cancelled and the subject matter incorporated into newly entered claim 24.

4, 5, 7-10, 12, 14, 15 and 17-19 have been amended thereby rendering the rejections directed thereto moot.

#### Claim Rejections - 35 USC § 103

Claims 1, 2, 4, 5, 7-10 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Men'shikova et al. (RU 2,122,247) either alone or in view of Suzuki et al. (US 6,130,262).

Claims 1, 2 and 16 are cancelled thereby rendering the rejections directed thereto moot.

Claim 21 is a newly entered claim which has the limitations of previous claim 3. Claim 21 is believed to be patentable.

Claims 4, 5 and 7-10 depend from claim 21 and are believed to be patentable for, at least, the same reasons as claim 21.

Claim 24 is a newly entered claim which has the limitations of previous claim 20. Claim 24 is believed to be patentable.

Claims 17-19 depend from claim 24 and are believed to be patentable for, at least, the same reasons as claim 24.

The rejection of claims 1, 2, 4, 5, 7-10 and 16-19 under 35 U.S.C. 103(a) as being unpatentable over Men'shikova et al. either alone or in view of Suzuki et al. is rendered moot by amendment.

Claims 11-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Applicants' Admission of Prior Art alone or Men'Shikova et al. alone, or Applicants Admission of Prior Art in view of Men'shikova et al. or vice versa.

Claim 11 is cancelled in favor of claim 23 which has the same limitations as previous claim 13. Claim 23 is believed to be patentable.

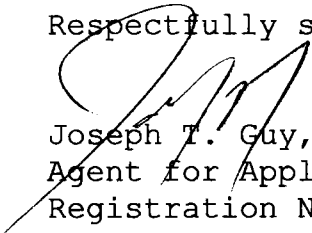
Claims 12 and 15 depend from claim 23 and are believed to be patentable for, at least, the same reasons as claim 23.

The rejection of claims 11-12 and 15 under 35 U.S.C. 103(a) as being unpatentable over either Applicants' Admission of Prior Art alone or Men'Shikova et al. alone, or Applicants Admission of Prior Art in view of Men'shikova et al. or vice versa is rendered moot by amendment.

### **CONCLUSIONS**

Claims 4-10, 12, 14, 15, 17-19 and 21-24 are pending in the present application. All claims are now believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,

  
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